

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:03CR3157
	)	
Plaintiff,	)	
	)	
vs.	)	MEMORANDUM
	)	AND ORDER
RUBEN LAZARO MENDEZ,	)	
	)	
Defendant.	)	

This matter comes on to consider the government's motion and request for hearing pursuant to Rule 35(b) (filing 89). Having considered the matter,

IT IS ORDERED that:

- (1) The government's motion to set hearing pursuant to Rule 35(b) is granted.
- (2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 89) has been set before the undersigned United States district judge on Monday, August 8, 2005, at 12:45 p.m., in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- (3) The United States Marshal shall return the defendant to the district for the hearing.
- (4) Counsel for the defendant, if previously appointed pursuant to the Criminal Justice Act, is reappointed to represent the defendant for purposes of the Rule 35(b) motion. If retained, counsel for the defendant remains as counsel for the defendant until the Rule 35(b) motion is resolved or until given leave to withdraw.
- (5) The Federal Public Defender shall provide CJA counsel with a new voucher.

(6) The Clerk of the Court shall provide a copy of this order to counsel for the government and counsel for the defendant. The undersigned's judicial assistant will provide a copy to the Federal Public Defender.

June 28, 2005.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge